

Appl. No. 09/997,515  
Amdt. Dated July 28, 2005  
Reply to Office Action of May 20, 2005

Docket No. IRI05459  
Customer No. 23330

### **REMARKS**

Claims 2-19 and 21 (19 total claims; 2 independent claims) remain pending in the application. Reconsideration of the application is respectfully requested in view of the following remarks.

#### **§102 Rejection**

Claims 2-3, 5-8, 11-13, 15-17 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Gentry, U.S. Pat. No. 6,453,162 (hereinafter "Gentry"). Applicant respectfully traverses this rejection.

Gentry discloses a system and method for web-based provisioning (i.e., setting parameters for) a home location register ("HLR") in a wireless network. In other words, the Gentry system allows a user to modify his subscriber profile or preferences, which are stored and maintained at the HLR provided by the telecommunications provider, using a personal computer that is connected to the Internet. The goal of the Gentry system is to eliminate the need to have a service provider employee enter subscriber profile/preference changes on behalf of the subscriber [see Gentry's Summary section].

FIG. 1 and FIG. 2 of Gentry depict a **single HLR**, which is intended to represent the primary HLR that services the mobile device 12 (see FIG. 1). In FIG. 1, the service area 10 is the home or local service area for the mobile device 12, while the service area 16 is a roaming service area for the mobile device 12. When the mobile device 12 is within the roaming service area 16, the roaming system MTSO 22 communicates with the roaming system VLR 20 to obtain the subscriber services for the user of the mobile device 12. In turn, the roaming system VLR 20 communicates with the home/local system HLR 17 to obtain the subscriber services for the user of the mobile device 12. This conventional operation is described by Gentry beginning at Column 4, Line 51. Notably, only one HLR 17 is contemplated by the Gentry system.

FIG. 2 of Gentry illustrates the web-enabled version that represents the primary focus of the Gentry disclosure. Using the system of FIG. 2, a user, via his personal computer 48, accesses an appropriate web page (provided by web server 44) that allows him to monitor, view, and change his subscriber services, preferences, and settings at the **single telecommunications provider's HLR** via the Internet 46. In this regard, *the personal computer 48 merely facilitates user communication with the HLR 17 in lieu of having a service provider employee access the*

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*HLR 17 on the user's behalf.* Gentry does NOT teach or suggest, as the Examiner erroneously asserts, that the personal computer is a DHLR. (See column 5 lines 20-27). Gentry discloses the manner in which the IP-based data is converted for use with the IS-41 network 40, which is necessary for compatibility with the HLR 17. Importantly, the HLR 17 depicted in FIG. 2 represents the same home/local HLR 17 depicted in FIG. 1. *In other words, Gentry neither teaches nor suggests the use of a network HLR in conjunction with a distributed HLR ("DHLR") that is personal to the user.*

Applicant respectfully disagrees with the Examiner's characterization of Gentry, and requests reconsideration in view of these remarks. For example, the Examiner contends that Gentry's personal computer 48 and web server 44 are akin to the DHLR recited in Applicant's claims. The Examiner cited to Gentry at Column 5, Lines 22-42 and Column 6, Lines 24-27 in support of this conclusion. Applicant submits that this characterization of Gentry is unreasonable and unsupported by the Gentry specification. In particular, Gentry's personal computer 48 and web server 44 are simply means for accessing the only HLR contemplated by the Gentry system, namely, HLR 17. (See column 5, lines 20-27). Indeed, the stated goal of Gentry is to enable the subscriber to communicate with the HLR 17 in a manner that eliminates the need of a "middle man." Gentry fails to disclose or suggest that recited in Applicant's claims, namely, the deployment of another HLR (the DHLR) that includes data for authorizing services in a foreign network for a user of the home network.

The Examiner states that Gentry's foreign network 16 includes a VLR 20 for determining services that are needed by a user in the foreign network. Although this statement may be generally accurate, Gentry fails to teach or suggest additional limitations recited in Applicant's claims. In particular, Gentry neither teaches nor suggests a foreign VLR coupled to a DHLR (in the home network) via the communication network. Indeed, even assuming, for the sake of argument, that Gentry's personal computer 48 is akin to the recited DHLR (which it is not), Gentry's foreign VLR 20 is NOT coupled to the user's personal computer 48. As mentioned above, Gentry merely describes the conventional technique whereby the foreign VLR 20 communicates with the home network HLR 17.

Regarding claim 11, Gentry neither teaches nor suggests a DHLR directly coupled to the user via a mobile device. Even assuming, for the sake of argument, that Gentry's personal computer 48 is akin to the recited DHLR (which it is not for the above stated reasons), Gentry's

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personal computer 48 is only utilized to communicate with the web server 44, the wireless data server 42, or the HLR 17. In other words, Gentry's personal computer 48 does not communicate with the mobile subscriber 12.

For at least the above reasons, Gentry does not anticipate the invention recited in any of claims 2-8, 11-17, and 21. Accordingly, Applicant respectfully requests the withdrawal of the §102 rejection of claims 2-8 and 11-17.

#### §103 Rejection

Claims 4 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gentry in view of Torabi (U.S. Patent No. 6,754,482, hereinafter Torabi). Claims 9-10 and 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gentry in view of well known prior art. Applicant respectfully traverses this rejection.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify a reference or to combine the teachings of multiple references. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all of the recited claim limitations. Of course, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. Applicant respectfully submits that the Examiner has not met all of the above criteria.

For the reasons set forth in the preceding section of this paper, Gentry fails to teach or suggest a number of the limitations recited in Applicant's independent claims and, therefore, the proposed modification of Gentry does not teach or suggest all of the recited claim limitations. Notably, the §103 rejection appears to be based upon a persistent mischaracterization of Gentry, namely, the assumption that Gentry discloses a foreign VLR that is coupled to a DHLR as recited in Applicant's claims. As mentioned in the previous section, Gentry simply does not teach a DHLR as required by the claims. Even assuming, for the sake of argument, that the Gentry personal computer 48 is equivalent to the recited DHLR, the personal computer 48 is NOT coupled to the foreign VLR 20 (see FIG. 2 of Gentry). Indeed, the personal computer 48 has no need to communicate with the foreign VLR 20.

For at least the above reasons, Applicant submits that the Examiner has not established a *prima facie* case of obviousness with respect to any of claims 4, 9, 10, 14, 18, or 19.

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Accordingly, these claims are not unpatentable over Gentry and Applicant requests the withdrawal of the §103 rejection of these claims.

**Summary**

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.


Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117.

Respectfully submitted,

**SEND CORRESPONDENCE TO:**

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